

REMARKS

Applicant wishes to thank the Examiner for the attention accorded to the instant application.

Claims 1-12 are pending in the application. Applicant has amended claims 1-2 and 7-8. Please cancel claims 4-5 without prejudice.

I. Allowable Subject Matter

The Examiner has indicated that claims 3, 6 and 9-12 have allowable subject matter. Applicant wishes to thank the Examiner for the indication of allowable subject matter.

II. Claim Rejections – 35 U.S.C. §103

The Examiner has rejected claims 1-2, 4-5 and 7-8 under 35 U.S.C. §103(a). Specifically, The Examiner has rejected claims 1, 4 and 7 as being unpatentable over U.S. Patent No. 6,408,191 to Blanchard et al. (“Blanchard”) in view of U.S. Patent No. 6,320,943 to Borland (“Borland”). The Examiner has rejected claims 2, 5 and 8 as being unpatentable over Blanchard in view of Borland, and further in view of U.S. Patent No. 6,125,287 to Cushman (“Cushman”).

Claims 1, 4 and 7:

The Examiner has rejected claims 1, 4 and 7 as being unpatentable over Blanchard in view of Borland. The Examiner asserts that Blanchard discloses all of the essential limitations of claims 1, 4 and 7 except that Blanchard does not disclose that wherein the data retrieved are displayed in a predetermined sequence is together with the total number of times that a number represented by an item of the retrieved data called the portable telephone set.

Applicant has canceled claims 4-5. Applicant has amended independent claims 1 and 7 to more particularly point out and distinctly claim the subject matter regarded as the invention. In particular, amended claim 1 recites a retrieved telephone number displaying method for a portable telephone set for retrieving telephone numbers comprising the steps of retrieving at least one telephone diary data from a memory of said portable telephone set, affixing a serial number for each retrieved telephone diary data and displaying said retrieved telephone diary data and said serial number in a display of said portable telephone set, wherein the data retrieved are displayed in a predetermined sequence together with the serial number being a number of times that a number represented by an item of the retrieved data called the portable telephone set and was called by the portable telephone set. Claim 7 has been amended to recite a portable telephone set comprising a CPU, a memory for storing such data as telephone numbers and names, and a display for storing the stored data, wherein the CPU retrieves the data stored in the memory in a predetermined sequence, and displays the data retrieved in a predetermined sequence together with the serial number of the retrieved data, the serial number being a number of times that a number represented by an item of the retrieved data called the portable telephone set and was called by the portable telephone set.

The present invention, as recited in claims 1 and 7, is directed to a system and method for retrieving and displaying telephone diary data in a portable telephone set. The telephone diary is displayed to the user with the telephone number, the person, and a serial number. The serial number is a count of the number of times that the person has been called by the user and the number of times that the person has called the user. Moreover, the serial number determines a predetermined sequence of displaying the telephone

numbers to the user, so that, for example, the user may be presented with the most frequent called person on the user's portable telephone set.

The Examiner admits that Blanchard does not disclose that the data retrieved are displayed in a predetermined sequence with the total number of cases of the retrieved data. Blanchard is directed to a method for providing Short Message Services to portable telephone sets. Borland is directed to a directory method and system for a communication device where caller ID is utilized for storage and retrieval. However, Borland does not disclose or suggest storing and displaying a serial number, where the serial number is a count of the number of times that the person has been called by the user. Borland tracks only the number of times that the user has called a certain person, but Borland does not disclose or suggest counting or displaying the number of times a person has called the user.

Therefore, Applicant respectfully submits that a combination of Blanchard and Borland does not teach or suggest every claimed feature of the invention. The prior art reference (or references) must teach or suggest all of the claim limitations. In re Vaeck, 947 F.2d 488 (Fed. Cir. 1991). Since a prima facie case of obviousness has not been set forth, Applicant respectfully submits that claims 1 and 7 are allowable over the cited references.

Claims 2, 5 and 8:

The Examiner has rejected claims 2, 5 and 8 as being unpatentable over Blanchard in view of Borland and further in view of Cushman. The Examiner asserts that Cushman discloses rearranging in a sequence of greater number of times of utilization.

Applicant has canceled claims 4-5. Claims 2 and 8 depend from claims 1 and 7, which have been amended to more particularly point out and distinctly claim the subject matter

regarded as the invention. In particular, amended claim 1 recites a retrieved telephone number displaying method for a portable telephone set for retrieving telephone numbers comprising the steps of retrieving at least one telephone diary data from a memory of said portable telephone set, affixing a serial number for each retrieved telephone diary data and displaying said retrieved telephone diary data and said serial number in a display of said portable telephone set, wherein the data retrieved are displayed in a predetermined sequence together with the serial number being a number of times that a number represented by an item of the retrieved data called the portable telephone set and was called by the portable telephone set. Claim 7 has been amended to recite a portable telephone set comprising a CPU, a memory for storing such data as telephone numbers and names, and a display for storing the stored data, wherein the CPU retrieves the data stored in the memory in a predetermined sequence, and displays the data retrieved in a predetermined sequence together with the serial number of the retrieved data, the serial number being a number of times that a number represented by an item of the retrieved data called the portable telephone set and was called by the portable telephone set.

The present invention, as recited in claims 2 and 8, is directed to a system and method for retrieving and displaying telephone diary data in a portable telephone set. The telephone diary is displayed to the user with the telephone number, the person, and a serial number. The serial number is a count of the number of times that the person has been called by the user and the number of times that the person has called the user. Moreover, the serial number determines a predetermined sequence of displaying the telephone numbers to the user, so that, for example, the user may be presented with the most frequent called person on the user's portable telephone set.

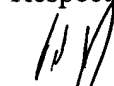
The Examiner admits that Blanchard does not disclose that the data retrieved are rearranged in a sequence of greater number of times utilization and displaying the same sequence. Blanchard is directed to a method for providing Short Message Services to portable telephone sets. Borland is directed to a directory method and system for a communication device where caller ID is utilized for storage and retrieval. However, Borland does not disclose or suggest storing and displaying a serial number, where the serial number is a count of the number of times that the person has been called by the user. Borland tracks only the number of times that the user has called a certain person, but Borland does not disclose or suggest counting or displaying the number of times a person has called the user. Cushman is directed to a user interface for a portable telephone set. However, Cushman does not disclose or suggest that the utilization numbers are displayed with the person's calling data, as required by claims 2 and 8.

Therefore, Applicant respectfully submits that a combination of Blanchard, Borland and Cushman does not teach or suggest every claimed feature of the invention. The prior art reference (or references) must teach or suggest all of the claim limitations. In re Vaeck, 947 F.2d 488 (Fed. Cir. 1991). Since a prima facie case of obviousness has not been set forth, Applicant respectfully submits that claims 2 and 8 are allowable over the cited references.

III. Conclusion

For the foregoing reasons, Applicants respectfully submit that all pending claims 1-3 and 6-12 are now in condition for allowance. Early notice to that effect is earnestly solicited.

Respectfully submitted,



Paul J. Esatto, Jr.

Registration No. 30,749

Scully, Scott, Murphy & Presser, P.C.
400 Garden City Plaza, Suite 300
Garden City, New York 11530
(516) 742-4343

PJE:BK:ae